Veterans Affairs Canada

Annual Report on the Administration of the *Access to Information Act*

April 1, 2009 - March 31, 2010

The Honourable Jean-Pierre Blackburn, MP
Minister of Veterans Affairs

TABLE OF CONTENTS

1. INTRODUCTION ..... Page 1
   - Veterans Affairs Portfolio ..... Page 1
   - Veterans Affairs Canada ..... Page 1
   - The Office of the Veterans Ombudsman ..... Page 2
2. ACCESS TO INFORMATION AND PRIVACY COORDINATOR'S OFFICE ..... Page 3
3. DESIGNATION ORDERS ..... Page 5
4. *ACCESS TO INFORMATION ACT* DELEGATION TABLE ..... Page 6
5. STATISTICAL REPORT - INTERPRETATION AND EXPLANATION ..... Page 7
   - I Requests Under the *Access to Information Act* ..... Page 7
   - II Disposition of Requests Completed ..... Page 9
   - III Exemptions Invoked ..... Page 11
   - IV Exclusions Cited ..... Page 12
   - V Completion Time ..... Page 12
   - VI Extensions ..... Page 13
   - VII Translations ..... Page 14
   - VIII Method of Access ..... Page 14
   - IX Fees ..... Page 14
   - X Costs ..... Page 14
6. CONSULTATIONS ..... Page 15
7. ACCESS TO INFORMATION TRAINING AND AWARENESS ..... Page 15
   - Training ..... Page 15
   - Awareness ..... Page 16
8. POLICIES AND GUIDELINES ..... Page 17
9. DESCRIPTION OF MAJOR CHANGES IMPLEMENTED ..... Page 17
   - Department ..... Page 17
   - Information Management Services Directorate (IMSD) ..... Page 17
10. COMPLAINTS AND INVESTIGATIONS ..... Page 19
11. APPEALS TO THE COURTS ..... Page 19

Annex 1 - Statistical Report on the *Access to Information Act* ..... Page 21
Annex 2 - Four-Year Statistical Analysis ..... Page 22

1. INTRODUCTION

The *Access to Information Act* gives Canadian citizens and corporations the right to have access to federal government records, subject to certain specific exceptions. The Act complements but does not replace other procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request.

In accordance with section 72 of the *Access to Information Act*, the head of an institution is required to submit an annual report to Parliament on the institution's administration of the Act during the fiscal year. This document reports on the activities of the Department of Veterans Affairs, the Office of the Veterans Ombudsman, the Director of Soldier Settlement and the Director of the Veterans' Land Act, and describes how Veterans Affairs Canada (VAC) fulfilled its access to information responsibilities during the fiscal year commencing April 1, 2009, and ending March 31, 2010.

The Veterans Review and Appeal Board (VRAB) will submit a separate and distinct report to Parliament.

Veterans Affairs Portfolio

Veterans Affairs is a portfolio consisting of the following organizations: Veterans Affairs Canada (VAC, the Department); the Office of the Veterans Ombudsman (OVO); and the Veterans Review and Appeal Board (VRAB, the Board).

Veterans Affairs Canada

Canada's development as an independent country with a unique identity stems in no small measure from its achievements in times of war. A good part of our modern identity is also associated with pride in Canada's enviable peacekeeping record. Canada's contribution to global peace and security, both as ally and peacekeeping partner, has come at a heavy price in terms of lives sacrificed, health forfeited and hopes unfulfilled. The Department exists to repay the nation's debt of gratitude toward those whose courageous efforts have given us this legacy, and have contributed to our growth as a nation.

Veterans Affairs Canada's mandate stems from laws, regulations and Orders in Council. Among the more significant is the *Department of Veterans Affairs Act*, which charges the Minister of Veterans Affairs with the following responsibilities:

> *" . . . the care, treatment, or re-establishment in civil life of any person who served in the Canadian Forces or merchant navy or in the naval, army or air forces or merchant navies of Her Majesty, of any person who has otherwise engaged in pursuits relating to war, and of any other person designated . . . and the care of the dependants or survivors of any person referred to . . . "*

Veterans Affairs Canada (VAC) provides services to a highly diverse clientele which reflects the remarkable breadth of Canada's contributions to world peace. Our clients include:

Veterans:

- Armed Forces and Merchant Navy Veterans who served during the First World War, the Second World War or the Korean War;
- Former and, in certain cases, current members of the Canadian Forces, including those who served in Special Duty Areas and in peacekeeping; and
- Allied Veterans who lived in Canada prior to periods of war.

Other Clients:

- Certain civilians who are entitled to benefits because of their war time services;
- Former and, in certain cases, serving members of the Royal Canadian Mounted Police; and
- Survivors and dependants of the foregoing groups.

In addition to serving these clients, VAC receives many requests for information from members of the public. We are proud to assist those who approach the Department with requests for information on our programs, services and activities. VAC joins with all Canadians in recognizing the sacrifices and achievements of those who have served in the cause of peace and freedom around the world over the years.

VAC remains strongly committed to upholding the principles of the *Access to Information Act*, while providing a high level of service to our clients.

The Office of the Veterans Ombudsman

The Veterans Ombudsman is an independent officer who reports directly to the Minister of Veterans Affairs. The Ombudsman is impartial and mandated to uphold the Veterans Bill of Rights, and to receive and review complaints stemming from programs and services provided or administered by Veterans Affairs or pertaining to the Veterans Bill of Rights. The Ombudsman assists Canada's Veterans by providing them with information on the Department's programs and services.

2. Access to Information and Privacy Coordinator's Office

The administration of the *Access to Information Act* and the *Privacy Act* is the responsibility of the Access to Information and Privacy Coordinator's Office which was part of the former Information Management Services Division (IMSD). In 2009-2010, IMSD and the Information Technology and Telecommunications Division melded to become the Information Technology and Information Management (ITIM) Division within the Corporate Services Branch. The Director General ITIM is also the ATIP Coordinator; the union of these two roles brings together specialists who manage and protect the Portfolio's paper-based and electronic information holdings. The ATIP Coordinator acts on behalf of the Minister of Veterans Affairs, the Deputy Minister of VAC and the Veterans Ombudsman to administer the *Access to Information Act* and the *Privacy Act*. The office has a dual function of serving both the public and the Department in matters relating to the *Access to Information Act* and the *Privacy Act*.

The mandate of the ATIP Coordinator's Office within VAC is to administer the *Access to Information Act* and the *Privacy Act*, and to facilitate institutional compliance with legislative and central agency requirements. The main duties of the ATIP Coordinator's Office are to:

- Process requests for information submitted under the *Access to Information Act* and the *Privacy Act* in accordance with the legislation, regulations and Treasury Board of Canada Secretariat (TBS) policies and guidelines;
- Provide VAC managers and staff with advice and guidance regarding the interpretation and application of the *Access to Information Act*, the *Privacy Act*, and other related TBS policies and guidelines;
- Develop policies, procedures and guidelines for the administration of the ATIP acts and other related TBS policies and guidelines;
- Coordinate the completion of Privacy Impact Assessments (PIAs);
- Coordinate the resolution of any complaints against VAC made to the Information Commissioner under the *Access to Information Act* and to the Privacy Commissioner under the *Privacy Act*;
- Promote awareness of the ATIP acts to ensure departmental responsiveness to the obligations imposed on federal institutions;
- Coordinate the preparation of the VAC chapter of the *Info Source* publication; and
- Prepare annual reports to the TBS and Parliament on the *Access to Information Act* and the *Privacy Act*.

Formal request processing is centralized within the ATIP Coordinator's Office in Charlottetown, Prince Edward Island, and the responsibility for disclosure rests primarily with this office. The Coordinator's Office consists of a Coordinator and a complement of 9.5 full-time equivalents (FTEs) including a Deputy Coordinator. The Office is supported by the Information Management Policy and Strategic Planning (IMPSP) Unit which specializes in providing ATIP advice and guidance, coordinating Privacy Impact Assessments (PIAs), providing updates to *Info Source* and Personal Information Banks and other matters relating to policy, procedures and training.

The ATIP Coordinator's Office supports and maintains a network of 27 ATIP Liaison Officers in each major division and region of the Portfolio. VAC has 19 liaison officers in the Charlottetown Head Office, and 8 in the Regional Offices. The liaison officers, upon request, are responsible for information retrieval from the Office of Primary Interest (OPI) and for identifying sensitive information which may qualify for exemption under the Act.

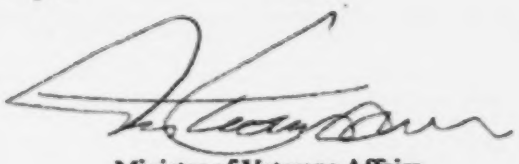
3. DESIGNATION ORDERS

The responsibilities associated with the administration of the *Access to Information Act*, such as notifying applicants of extensions and transferring requests to other institutions, are designated to the departmental ATIP Coordinator through a delegation instrument signed by the Minister of Veterans Affairs.

***ACCESS TO INFORMATION ACT* DESIGNATION ORDER**

The Minister of Veterans Affairs, pursuant to section 73 of the *Access to Information Act*, hereby designates the persons holding the positions in the Department of Veterans Affairs set out in the schedule attached hereto, to exercise the powers and perform the duties and functions of the Minister as the head of a government institution under the sections of the Act set out in the schedule opposite the positions.

Dated at Ottawa, this day of 2009



Minister of Veterans Affairs

On October 14, 2010, VRABs responsibilities associated with the administration of the *Access to Information Act* were designated to the appropriate VRAB officials through a delegation instrument signed by the Chairperson, Veterans Review and Appeal Board.

4. *Access to Information Act* Designation Schedule

HEAD OF THE INSTITUTION		MINISTER OF VETERANS AFFAIRS		
Sections of the ATI Act	Powers, Duties or Functions	Institutions and Titles		
		DVA		VRAB
73	All powers, duties or functions of the head of the institution	Deputy Minister		Chairperson
21	Approve exemptions	ADM, Corporate Services	Veterans Ombudsman	Chairperson
14; 15; 18	Approve exemptions	ADMs	Veterans Ombudsman	Director General
67.1	Obstructing Right of Access	Department of Veterans Affairs Security Officer		
7(*a*)	Give notices re: access to records within 30 days	ATIP Coord./Deputy Coord./ Officer	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
8(1)	Transfer requests and material to other institutions	ATIP Coord./Deputy Coord./ Officer	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
9(1)(*a*)(*b*)	Extension of time limits	ATIP Coord./Deputy Coord.	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
9(2)	Give notice of time extensions to Information Commissioner	ATIP Coord./Deputy Coord.	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
11(2)(3)(4)(5)(6)	Payment or waiver of fees	ATIP Coord./Deputy Coord./ Officer	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
12(2)(3)	Language of access and alternate format	ATIP Coord./Deputy Coord./ Officer	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
13; 16; 17; 19; 20; 22; 23; 24; 25; 26	Approve exemptions	ATIP Coord./Deputy Coord.	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
19; 23	Approve exemptions	ATIP Officer		
27(1)(4); 28(1)(2)(4); 29(1); 33; 35(2); 37(4); 43(1); 44(2); 52; 69; 71(2)	Apply third party procedures and give notices	ATIP Coord./Deputy Coord	OVO - Legal Advisor	ATIP Coord./ Deputy Coord.
72(1)	Prepare annual report to Parliament	ATIP Coord./Deputy Coord.		ATIP Coord./ Deputy Coord.

LEGEND:

DVA: Department of Veterans Affairs
OVO: Office of the Veterans Ombudsman
VRAB: Veterans Review and Appeal Board
ADM: Senior Assistant Deputy Minister, Policy, Programs and Partnerships Branch
Assistant Deputy Minister, Service Delivery and Commemoration Branch
Assistant Deputy Minister, Corporate Services Branch

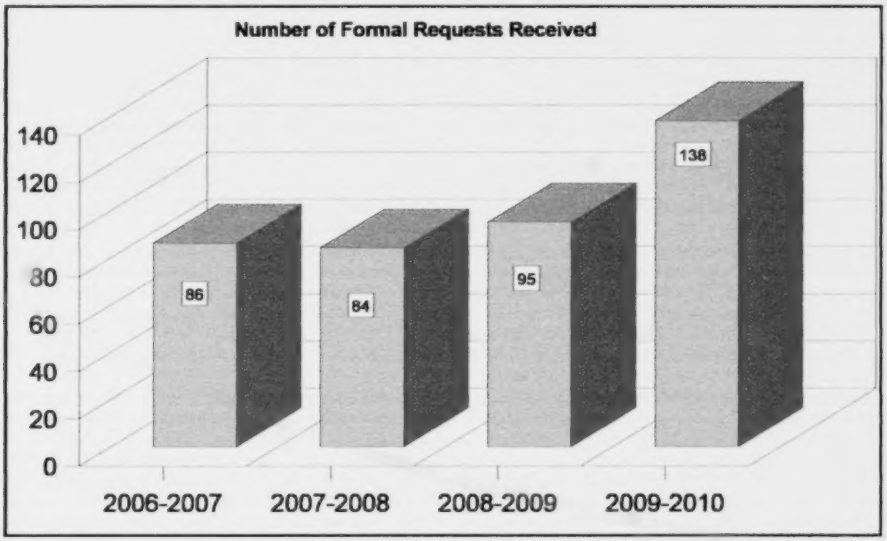
5. STATISTICAL REPORT - INTERPRETATION AND EXPLANATION

The Statistical Report, included in Annex 1, provides a summarized statistical report of formal *Access to Information Act* applications processed by VAC between April 1, 2009, and March 31, 2010. The following narrative provides explanations and interpretations of the statistical data.

I REQUESTS UNDER THE *ACCESS TO INFORMATION ACT*

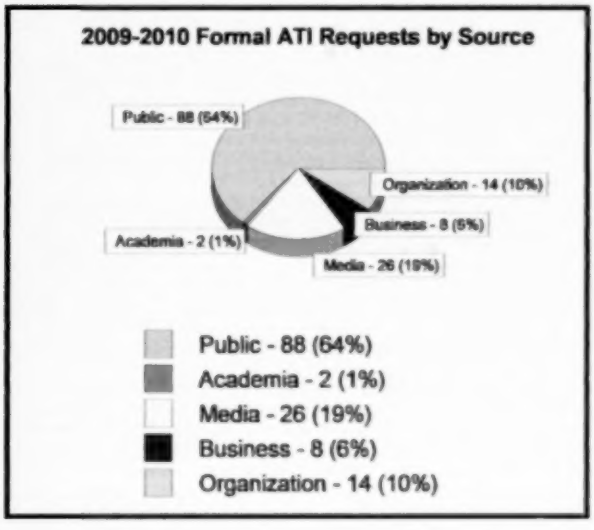
Formal Requests

Between April 1, 2009, and March 31, 2010, VAC received 138 formal requests for information under the *Access to Information Act*. This represents an increase of 43 requests (or 46 per cent) from the 2008-2009 fiscal year; a 65 per cent increase as compared to the 2007-2008 fiscal year; and a 61 per cent increase as compared to the 2006-2007 fiscal year. These 138 requests, combined with 18 outstanding requests from the 2008-2009 period, totalled 156 requests requiring action in the 2009-2010 reporting period.



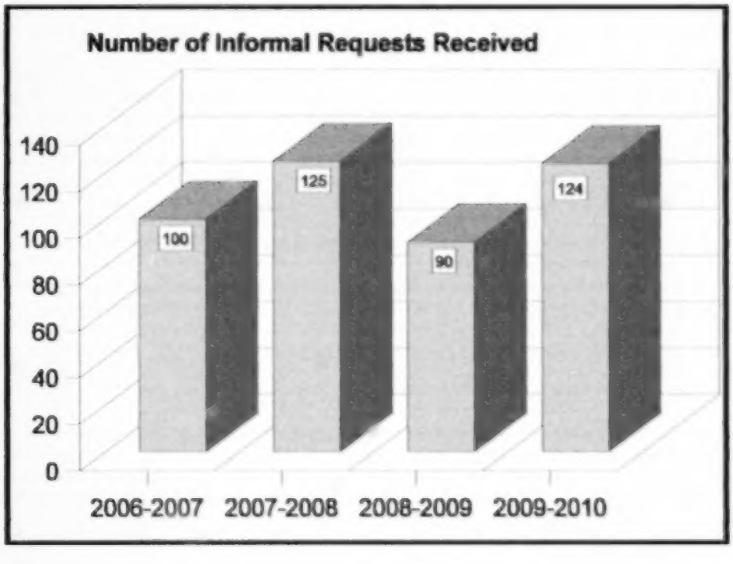
Thirty-five (35) outstanding requests have been carried forward into the 2010-2011 fiscal year.

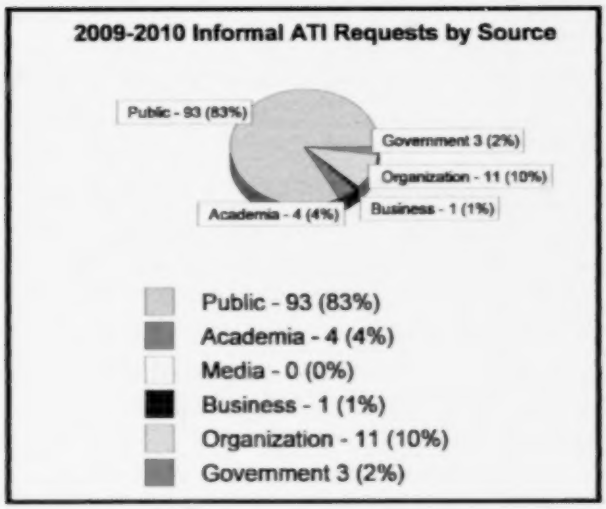
The breakdown of the 138 requests received during the 2009-2010 fiscal year is as follows:


2009-2010 Formal ATI Requests by Source
Public - 88 (64%)
Organization - 14 (10%)
Business - 8 (6%)
Academia - 2 (1%)
Media - 26 (19%)
Public - 88 (64%)
Academia - 2 (1%)
Media - 26 (19%)
Business - 8 (6%)
Organization - 14 (10%)

There are no significant changes in the source breakdown over the last reporting period. It is important to note that the requests have shifted in nature from specific information about existing programs and services, access and eligibility to direct questions about the details of proposed programs, policy development, and changes being contemplated by the Department and government.

Informal Requests



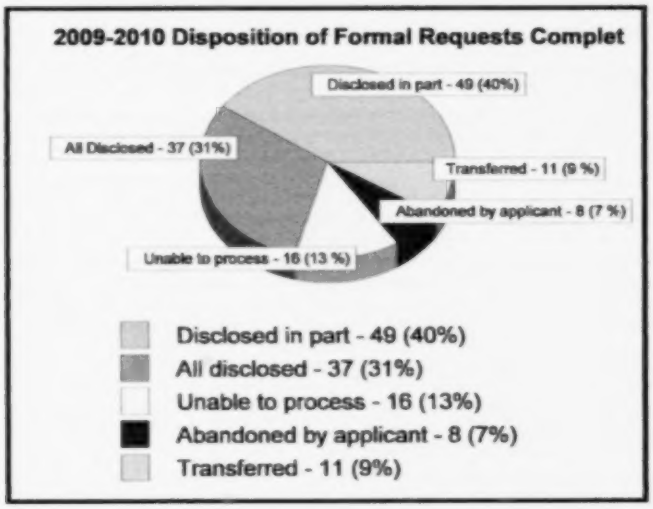

2009-2010 Informal ATI Requests by Source
Public - 93 (83%)
Government 3 (2%)
Organization - 11 (10%)
Academia - 4 (4%)
Business - 1 (1%)
Public - 93 (83%)
Academia - 4 (4%)
Media - 0 (0%)
Business - 1 (1%)
Organization - 11 (10%)
Government 3 (2%)

II DISPOSITION OF REQUESTS COMPLETED

Formal Requests

In total, 121 formal requests requiring action were completed during the reporting period, representing a 78 per cent completion rate.

The disposition of the 121 requests completed in 2009-2010 is as follows:


2009-2010 Disposition of Formal Requests Complet
Disclosed in part - 49 (40%)
All Disclosed - 37 (31%)
Transferred - 11 (9 %)
Abandoned by applicant - 8 (7 %)
Unable to process - 16 (13 %)
Disclosed in part - 49 (40%)
All disclosed - 37 (31%)
Unable to process - 16 (13%)
Abandoned by applicant - 8 (7%)
Transferred - 11 (9%)

Requests where records did not exist were recorded in the "unable to process" category.

The following chart compares the number of pages reviewed and released for formal requests during the past three reporting periods. For statistical purposes, it is important to note that pages with any exemptions or exclusions applied are counted as pages released.

Period	2007-2008	2008-2009	2009-2010	Variance 2009/2010 over 2008/2009
Pages Reviewed	4,716	7,497	7,710	3%
Pages Released	3,690	6,075	5,545	- 9%
Pages not Released	1,026	1,422	2,165	52%
Percentage of Pages not Released	22%	19%	28%	N/A

121 formal requests (78 per cent of requests requiring attention) were completed over the fiscal year, as compared to 89 requests (83 per cent of requests requiring attention) completed in the 2008-2009 fiscal year. This is a 36 per cent increase in the number of requests completed, or, as demonstrated in the table above, a 3 per cent increase in the number of pages reviewed.

Informal Requests

In keeping with its commitment to quality client service and transparency, the ATIP Coordinator's Office continued to informally process Access to Information requests in 2009-2010. 124 requests required processing this fiscal year, representing a 22 per cent increase over the previous fiscal year.

23 outstanding requests have been carried forward into the 2010-2011 fiscal year.

The following chart compares pages reviewed and released for informal requests during the past three reporting periods.

Period	2007-2008	2008-2009	2009-2010	Variance 2009/2010 over 2008/2009
Pages Reviewed	17,487	10,543	16,697	58%
Pages Released	13,058	5,037	10,517	109%
Pages not Released	4,429	5,506	6,180	12%
Percentage of Pages not Released	25%	52%	37%	N/A

101 requests (82 per cent of requests requiring attention) were completed over this fiscal year, as compared to 90 requests (88 per cent of requests requiring attention) completed in the 2008-2009 fiscal year. This is a 12 per cent increase in the number of requests completed.

The number of pages reviewed shows a 58 per cent increase from last reporting period, or a 38 per cent increase in requests, indicating that the size of documentation reviewed per request is increasing. Pages reviewed for informal requests have risen to 2007-2008 levels during this reporting period: the decrease in informal requests noted in the last annual report appears to have been temporary.

The rise in the percentage of unreleased pages in both the Formal and Informal requests underlines the increasing complexity of access to information requests.

There is no legislated time frame set for informal requests within the *Access to Information Act*, however, 84 requests (68 per cent) of informal requests were completed within 60 days.

III EXEMPTIONS INVOKED

This section of the statistical interpretation identifies the number of requests where specific types of exemptions have been invoked to protect sensitive information in government records.

VAC invoked 101 exemptions under sections 15, 16, 19, 20, 21, 23 and 24. This is a 94 per cent increase over the 2008-2009 reporting year. The most frequently used exemption was subsection 19(1) which is used to exempt personal information. For statistical purposes, it is important to note that exemptions applied to a case multiple times, are counted only once per case.

Exemptions Invoked 2009-2010	**Cases**
Subsection 15(1) (International Affairs and Defence)	1
Paragraph 16(1)(*c*) (Law enforcement and investigation)	1
Subsection 19(1) (Personal Information)	42
Paragraph 20(1)(*b*) (Financial, Commercial - Third Party)	2
Paragraph 20(1)(*c*) (Competitive Process - Third Party)	3
Paragraph 20(1)(*d*) (Contractual Negotiations - Third Party)	3
Paragraph 21(1)(*a*) (Operations of Government - Advice)	18
Paragraph 21(1)(*b*) (Operations of Government - Consultations or Deliberations)	6
Paragraph 21(1)(*c*) (Operations of Government - Negotiations)	4
Paragraph 21(1)(*d*) (Operations of Government - Plans not put into operation)	10
Section 23 (Solicitor-client privilege)	10
Section 24 (Statutory prohibition)	1
Total Exemptions Invoked	**101**

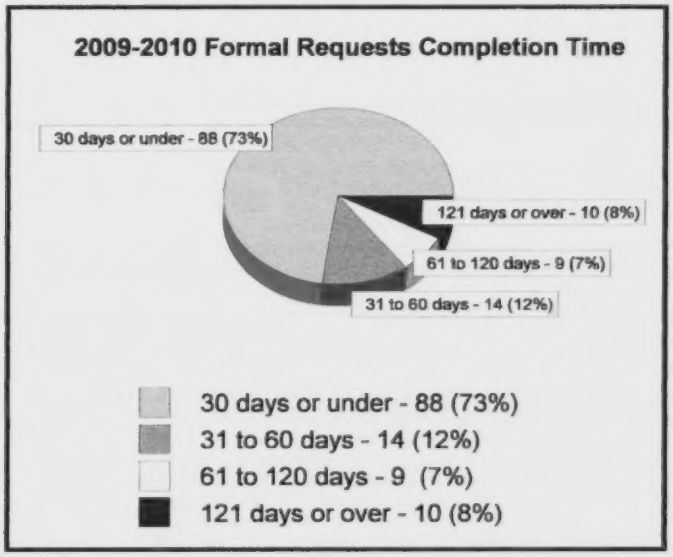
IV EXCLUSIONS CITED

Pursuant to sections 68 and 69, the *Access to Information Act* does not apply to published material, material available for purchase by the public, material placed in the Library and Archives of Canada or confidences of the Queen's Privy Council for Canada. During this reporting period, section 69 was invoked on 16 occasions and there were zero exclusions under section 68. This is a 167 per cent increase over the last reporting period.

Exclusion Cited 2009-2010	Occasions
69(1)(d) - Policy formulation communications	2
69(1)(c) - Briefings of Ministers	5
69(1)(g) - Cabinet Confidence	9
TOTAL	**16**

V COMPLETION TIME

Formal Requests

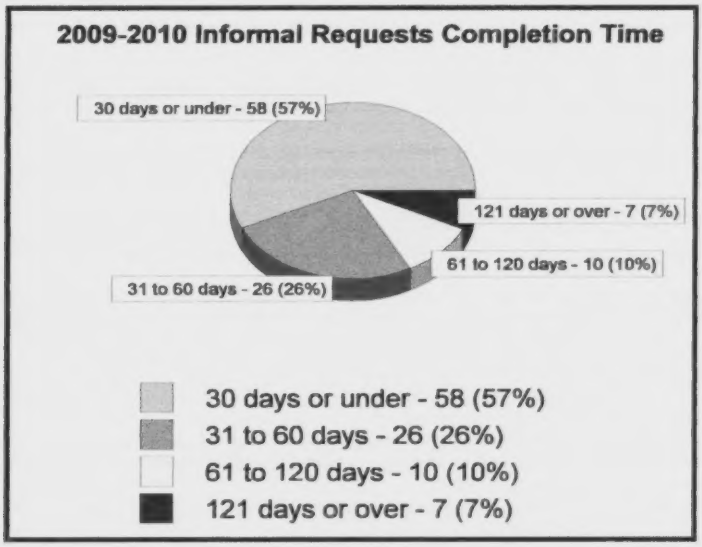

2009-2010 Formal Requests Completion Time
30 days or under - 88 (73%)
121 days or over - 10 (8%)
61 to 120 days - 9 (7%)
31 to 60 days - 14 (12%)
30 days or under - 88 (73%)
31 to 60 days - 14 (12%)
61 to 120 days - 9 (7%)
121 days or over - 10 (8%)

During the 2009-2010 reporting period, VAC completed 88 formal requests in 30 days or under; 14 requests were completed within 31-60 days; 9 requests were completed within 61-120 days; and 10 requests requiring additional time and effort were completed in 121 days or over.

The Department is experiencing a greater number of cases requiring inter-departmental consultations. The few inter-departmental consultations VAC was required to conduct in the past were often restricted to consulting with only one department. The trend has shifted to multi-

departmental consultations. The challenge (as outlined in the Out of Time Special Report to Parliament by the Interim Information Commissioner of Canada in April 2010) is that VAC must depend on the efficiency and goodwill of the institutions being consulted to meet time constraints.

Informal Requests


2009-2010 Informal Requests Completion Time
30 days or under - 58 (57%)
121 days or over - 7 (7%)
61 to 120 days - 10 (10%)
31 to 60 days - 26 (26%)
30 days or under - 58 (57%)
31 to 60 days - 26 (26%)
61 to 120 days - 10 (10%)
121 days or over - 7 (7%)

During the 2009-2010 reporting period, VAC completed 58 informal requests in 30 days or under; 26 requests were completed within 31-60 days; 10 requests were completed within 61-120 days; and 7 requests requiring additional time and effort were completed in 121 days or over.

The Department remains committed to process informal Access to Information requests in a timely fashion while balancing the legislated requirements under the formal request process. 68 per cent of the informal requests were completed within 60 days.

VI EXTENSIONS

Section 9 of the *Access to Information Act* provides for the extension of the statutory time limits if consultations are necessary or the request is for a large number of records and meeting the original time limit would unreasonably interfere with the operations of the Department.

During this reporting period a total of 23 requests were extended, and of these, 9 were extended for 30 days or under, and 14 requests required an extension of 31 days or over. Twenty-one (21) requests were extended due to consultations with other institutions and 2 extensions were required due to third party information.

Extensions 2009-2010		
	30 Days or Under	**31 Days or Over**
Searching	0	0
Consultation	8	13
Third Party	1	1
TOTAL	**9**	**14**

The 110 per cent increase in consultations over last year is directly responsible for the 103 percent increase in extensions granted to VAC in this reporting year.

VII TRANSLATIONS

One translation was required to respond to access to information requests during the 2009-2010 reporting period.

VIII METHOD OF ACCESS

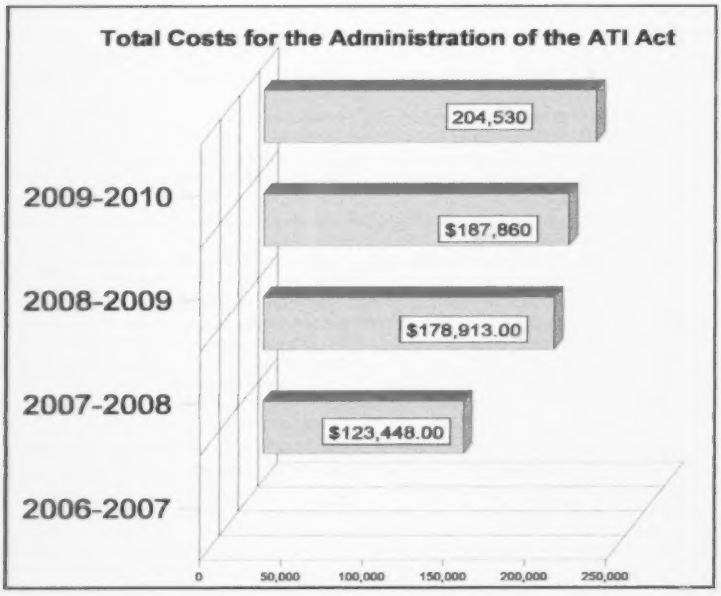
There are three methods of access whereby individuals may obtain the information they have requested. Requesters may receive copies of the material, examine the information during an arranged time or examine and receive copies of the information. Of the 121 formal requests completed, applicants received copies of the material they had requested fully or in part in 86 cases. In the remaining 35 cases, the requests were either abandoned by the applicant (8), transferred to another institution (11), or could not be processed as records did not exist (16).

IX FEES

In accordance with section 11 of the *Access to Information Act*, the fees collected during the reporting period totalled $748.40. Of this amount, $595.00 was collected in compliance with the application fee requirement of the Act. $153.40 was collected for reproduction of the documents. There was no money collected to cover fees associated with searching for documents or preparing them for the requests or with computer processing. During the same period, Veterans Affairs waived fees totalling $50.00 for 10 requests.

X COSTS

VAC spent a total of $204,530 administering the *Access to Information Act* during the reporting period. Staff salaries accounted for $196,960 which is equivalent to 3.03 person-year utilizations. Other administrative costs (representing operations and maintenance expenditures) amounted to $7,570.



There has been a 9 per cent increase in the total costs for administration of the *Access to Information Act* over the last reporting period. The requests have been increasingly more complicated, involving more Offices of Primary Interest (OPIs), detailed documents and increased processing activity.

In order to cope with this increase, IMSD has allocated more resources to the ATIP Coordinator's Office. Annex 2 provides a summarized table that captures the four-year trend of Access to Information requests and other ATIP business.

6. CONSULTATIONS

VAC received 56 requests (6,221 pages reviewed) for consultations. This is a 180 percent increase in relation to the 20 requests received in the last reporting period (and a 314 percent increase in relation to the 1,502 pages reviewed).

7. ACCESS TO INFORMATION TRAINING AND AWARENESS

Training

During the 2009-2010 fiscal year, Access to Information and Privacy training was provided to 342 staff members of the Portfolio during 21 sessions. The training provided staff at all levels with an opportunity to gain basic knowledge of the *Access to Information Act* and the *Privacy Act*. Staff members had the opportunity to hear and ask questions about their roles and responsibilities in regards to Access to Information and Privacy. Training and Awareness during the fiscal year included:

- A two-hour presentation titled "IM at Work - Demystifying Information Management" was delivered to management and staff at Veterans Affairs Canada. The training session includes an overview of Information Management responsibilities, documentation, Privacy, Access to Information and practical guidance on day-to-day management of information, the services available at VAC in relation to IM and ATIP and a question and answer segment. The objective of the session is to expand staff knowledge of IM and ATIP, specifically staff responsibilities, and to ensure staff members have sufficient knowledge to meet basic IM and ATIP requirements. The session is designed to leave attendees with: an understanding of the services of the Directorate; an ability to recognize when they need assistance from an ATIP or IM specialist; and who to contact for help. During the fiscal year, 13 sessions were conducted.
- The topics covered in the two-hour "IM at Work - Demystifying Information Management" session were integrated into the new Managers and Supervisors Orientation Program (MSOP). IM staff members continued to have an active role as subject matter experts to ensure ATIP and IM information, responsibilities, policy and legislative issues were addressed within the MSOP training and the participants' manual. Seven sessions were conducted since our last reporting period. Staff members from across the country are required to attend the mandatory session when they enter a supervisory or managerial role within VAC.
- A guide has been prepared to help staff members improve the overall management of electronic information, as well as their general productivity. IM Staff members meet or respond to inquiries from program areas on a regular basis, and staff members are available to provide training on individual topics, as requested, such as 'G' drive clean up.

Awareness

- During this fiscal year, 350 record retention periods were set, covering information holdings in 50 different work units. This was in relation to a comprehensive Records Disposition Authority granted by the Librarian and Archivist of Canada in June 2009. This gave a wide breadth of IM staff the opportunity to discuss good record keeping within the context of Privacy and Access to Information principles.
- The IM/IT internal (intranet) website covers all aspects of IM (including Access to Information and Privacy) within the VA Portfolio and provides an easily accessible resource for all staff. The website is used as a primary communication tool with regular updates being added to the site during the fiscal year. The website provides staff with resources, tools and best practices related to Information Management and ATIP. This year, it was updated to include the IM strategic plan and to reflect departmental changes to IM governance.
- In May 2009, VAC launched an improved external ATIP website targeted at clients. The content has been developed to assist clients to better understand their rights, how to access information, how to make a formal Access to Information or Privacy request, as well as to provide information on *Info Source*, Annual Reports, Privacy Impact Assessments and valuable links to the Office of the

Privacy Commissioner, Office of the Information Commissioner, Library and Archives Canada and to the *Info Source* publication. The site is updated as required and is a valuable tool to both clients and staff members.

- VAC created 32 new Personal Information Banks (PIBs) to align with the departmental Program Activity Architecture (PAA). This provided another awareness opportunity for IM staff to focus program area staff on Privacy and Access to Information principles.

8. Policies and Guidelines

In the 2009-2010 fiscal year, VAC continued its review and communication of existing and revised policies and guidelines.

- IM staff participated on 46 departmental working groups, providing an opportunity to promote both an understanding of ATIP and IM issues and ensure new projects and programs meet legislative and policy requirements. Staff members provide advice and guidance to project teams during the development and implementation of the project/program and follow through once the project/program is in place.
- The Directorate reviewed and identified potential areas that would benefit from Internal Directives and Guidelines that would support the Policy on Information Management, Directive on Record Keeping, Policy on Privacy Protection and the Policy on Access to Information.
- To improve communications and to increase awareness and knowledge of IM and ATIP throughout the Department, the Directorate worked closely with the Communications Division to identify considerations and develop an approach and an action plan for an IM Communications Strategy at VAC.

9. Description of Major Changes Implemented

Department

On April 1, 2009, the Department underwent a refinement of its organization resulting in a structure consisting of three branches and five divisions which report directly to the Deputy Minister of Veterans Affairs. The branches are: Service Delivery and Commemoration; Policy, Programs and Partnerships; and Corporate Services. The divisions are: Audit and Evaluation; Bureau of Pensions Advocates; Communications; Departmental Secretariat and Policy Coordination; and Human Resources.

Information Management Services Directorate (IMSD)

In 2009-2010, IMSD undertook many initiatives to gain efficiencies and improve client service under the *Access to Information Act* and the *Privacy Act*.

- VAC's Information Management Services Division and its Information Technology and Telecommunications Division melded to become the Information Technology and Information Management (ITIM) Division in June 2009. This integration has allowed a better flow of information between the technical and

records keeping arms of the Department and has moved VAC further towards the Government of Canada model for Information Management, which will benefit VAC's activities related to the *Access to Information Act* and the *Privacy Act*.

- Administration of the *Access to Information Act* and the *Privacy Act* continues to be supported by improvements in Information Management at VAC. The Department has made progress against the Year 1 deliverables of its "2008-2009 IM Strategy and Implementation Plan" including: training and awareness as described in Section 7 of this report; the development of a multi-year communications strategy; exploring the use of various technologies to improve the management of information supported by the addition of a technical advisor to the IM staff; a working group which is exploring low-cost alternatives to IM challenges; setting retention periods for the Department's operational records and beginning the realignment of the Department's subject file classification system to match the Records Disposition Authorities; developing a policy to address the requirements of maintaining paper versus electronic records; continuing work to support the implementation of Treasury Board of Canada Secretariat (TBS) ATIP policies and guidelines and TBS Recordkeeping Directive; and establishing the Privacy Impact Assessment management processes. The initiatives identified for the upcoming fiscal year, 2010-2011, will continue to focus on the expansion of awareness and training, practical work and application of the Recordkeeping Directive including a pilot project which will commence clean up of records at Library and Archives Canada; reviewing and modifying the structure of IM to align with the Government of Canada IM profile; and trial work with an Electronic Records Document Management System (ERDMS) complete with a multi-year communications strategy.
- In support of the Treasury Board of Canada Secretariat (TBS) Policy on Information Management, VAC's Finance Division and IMSD continued the practice of contract review to ensure that IM and ATIP requirements are included in contractual terms and conditions for contractors and third parties providing services to, or on behalf of, VAC. IM Specialists review Statements of Work for professional service contracts and provide content, advice and guidance to managers regarding IM and ATIP issues. 122 contracts were reviewed in the 2009-2010 Fiscal year.
- In 2009-2010, VAC Privacy Specialists reviewed 570 departmental forms to ensure sufficient notice statements are created and all legislative and policy requirements are met.
- The results of the Management Accountability Framework (MAF) Round VI assessment recognized the improvements that have been made in VAC's reporting of the departmental personal information holdings. VAC completed an update and a restructuring of its 32 Personal Information Banks (PIBs) to align with the departmental Program Activity Architecture (PAA). In addition, VAC undertook an initiative to review its classes of records and the redesign of the *Info Source* Chapter to support it during FY 2009-2010. Additional holdings of personal information that fall outside the PAA, or where services have a unique use of personal information, are being added to ensure a comprehensive listing of holdings.

- IMSD worked with the Audit and Evaluation (A&E) Division to ensure ATIP and IM interests are considered in the A&E planning process. ATIP and IM interests continue to be represented through the Chief Information Officer/ADM Corporate Services as part of the Annual Audit Planning Process. When information management or privacy is identified as a relevant issue or risk, then it may be incorporated into an audit's scope and objectives. When IM is included in an audit, the criteria to be tested will be developed by A&E based on relevant policies, regulations, legislation, etc., and consultations with IMSD.

10. Complaints and Investigations

In 2009-2010, the Information Commissioner received four (4) complaints against VAC and nine (9) complaints were carried over from 2008-2009 for a total of thirteen (13) complaints requiring attention. Nine (9) complaints received a ruling and four (4) have been carried over to 2010-2011.

Of the complaints that received a ruling, six (6) were not well founded and three (3) were resolved.

The substance of the complaints was as follows:

- One complainant alleged that records should exist - "not well founded".
- One complainant alleged refusal of access to records which were exempted under paragraph 21(1)(a) of the *ATI Act* - "not well founded".
- Three complainants alleged refusal of access to records which were exempted under subsection 19(1) - two were "not well founded" and one was "resolved".
- One complainant alleged that other records should exist - "resolved".
- One complainant alleged refusal of access to records which were exempted under subsection 19(1) and more records should exist - "resolved".
- Two complainants alleged that the time extensions claimed by the Department were excessive - both were "not well founded".

11. Appeals to the Courts

VAC has no appeals to the courts to report for the reporting period, April 1, 2009, to March 31, 2010.

Annexes

Annex 1 - Statistical Report on the *Access to Information Act*

Government of Canada / Gouvernement du Canada

REPORT ON THE *ACCESS TO INFORMATION ACT*
RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution	Reporting period/Période visée par le rapport
Veterans Affairs Canada/Anciens Combattants Canada	2009-04-01 to/à 2010-03-31

Source	Media/Médias	Academic/Secteur universitaire	Business/Secteur commercial	Organization/Organisme	Public
	26	2	8	14	88

I Request under the *Access to Information Act*/ Demand en vertu de la *Loi sur l'accès à l'information*

Received during reporting period/ Reçues pendant la période visée par le rapport	138
Outstanding from previous period/ En suspens depuis la période antérieure	18
TOTAL	156
Completed during reporting period/ Traitées pendant la période visée par le rapport	121
Carried forward/ Reportées	35

II Disposition of request completed/ Disposition à l'égard des demandes traitées

1.	All disclosed/ Communication totale	37	6.	Unable to process/ Traitement impossible	16
2.	Disclosed in part/ Communication partielle	49	7.	Abandoned by applicant/ Abandon de la demande	8
3.	Nothing disclosed (excluded)/ Aucune communication (exclusion)	0	8.	Treated informally/ Traitement non officiel	0
4.	Nothing disclosed (exempt)/ Aucune communication (exemption)	0		TOTAL	121
5.	Transferred/ Transmission	11			

III Exemptions invoked/ Exemptions invoquées

S. Art. 13 (1) (a)	0	S. Art. 16 (1) (a)	0	S. Art. 18 (b)	0	S. Art. 21 (1) (a)	18
(b)	0	(b)	0	(c)	0	(b)	6
(c)	0	(c)	1	(d)	0	(c)	4
(d)	0	(d)	0	S. Art. 19 (1)	42	(d)	10
S. Art. 14	0	S. Art. 16 (2)	0	S. Art. 20 (1) (a)	0	S. Art. 22	0
S. 15 (1) International rel/ Art. Relations intern.	0	S. Art. 16 (3)	0	(b)	2	S. Art. 23	10
Defence/ Défense	1	S. Art. 17	0	(c)	3	S. Art. 24	1
Subversive activities/ Activités subversives	0	S. Art. 18 (a)	0	(d)	3	S. Art. 26	0

IV Exclusions cited/ Exclusions citées

S. Art. 68 (a)	0	S. Art. 69 (1) (c)	0
(b)	0	(d)	2
(c)	0	(e)	5
S. Art. 69 (1) (a)	0	(f)	0
(b)	0	(g)	9

V Completion time/ Délai de traitement

30 days or under/ 30 jours ou moins	88
31 to 60 days/ De 31 à 60 jours	14
61 to 120 days/ De 61 à 120 jours	9
121 days or over/ 121 jours ou plus	10

VI Extentions/ Prorogations des délais

	30 days or under/ 30 jours ou moins	31 days or over/ 31 jours ou plus
Searching/ Recherche	0	0
Consultation	8	13
Third party/ Tiers	1	1
TOTAL	9	14

VII Translations/ Traductions

Translations requested/ Traductions demandées		1
Translations prepared/ Traductions préparées	English to French/ De l'anglais au français	0
	French to English/ Du français à l'anglais	1

VIII Method of access/ Méthode de consultation

Copies given/ Copies de l'original	86
Examination/ Examen de l'original	0
Copies and examination/ Copies et examen	0

IX Fees/ Frais

Net fees collected/ Frais net perçus			
Application fees/ Frais de la demande	$ 595.00	Preparation/ Préparation	0
Reproduction	$ 153.40	Computer processing/ Traitement informatique	0
Searching/ Recherche	$ 0.00	TOTAL	$ 748.40
Fees waived/ Dispense de frais		No. of times/ N° de fois	$
$25.00 or under/ 25 $ ou moins		10	$ 50.00
Over $25.00/ De plus de 25 $		0	$ 0.00

IX Costs/ Coûts

Financial (all reasons)/ Financiers (raisons)	
Salary/ Traitement	$ 196,561.00
Administration (O and M)/ Administration (fonctionnement et maintien)	$ 7,567.00
TOTAL	$ 204,128.00
Person year utilization (all reasons)/ Années-personnes utilisées (raison)	
Person year (decimal format)/ Années-personnes (N° de cima)	3.03

TBS/SCT 350-62 (Rev. 1999/03)

Canada

Annex 2 - Four-Year Statistical Analysis

	2006-2007	2007-2008	2008-2009	2009-2010	Variance 2009-2010 over 2008-2009
Requests	86	84	95	138	45%
Requests carried forward from prior year	8	5	12	18	50%
Total requests	94	89	107	156	46%
Requests completed	89	78	89	121	36%
Requests from media	Not Reported	9	13	26	100%
Requests from business	Not Reported	5	5	8	60%
Requests from the public	Not Reported	70	59	88	49%
Requests carried forward to next year	5	12	18	35	95%
Exemptions	42	40	52	101	94%
Exclusions	3	6	6	16	167%
Completed in 30 days or under	78	60	73	88	21%
Completed in 31 days or over	11	18	16	33	107%
Extensions	4	14	11	23	109%
Total fees collected	$382.00	$455.00	$778.60	$748.40	- 5%
Application fees	$350.00	$365.00	$445.00	$595.00	33%
Searching fees	Not Reported	$90.00	$165.00	$0.00	- 100%
Reproduction of documents fees	$32.00	$0.00	$168.00	$153.40	-9%
Fees waived	Not Reported	$20.00	$75.00	$50.00	- 33%
Total costs for the administration of the ATI Act	$123,448.50	$178,913.00	$187,860.00	$204,530.76	9%
Salaries	$120,577.60	$173,953.00	$178,320.00	$196,960.60	10%
FTEs	2.02	3.20	3.26	3.03	- 7%

	2006-2007	2007-2008	2008-2009	2009-2010	Variance 2009-2010 over 2008-2009
Administration costs (Operations and Maintenance)	$2,871.00	$4,960.00	$9,541.00	$7,570.16	- 21%
Informal requests	100	125	90	124	38%
Consultations	Not Reported	25	20	56	180%
Complaints received	1	1	6	4	33%
Complaints ruled on	2	1	3	9	200%

This publication can be made available upon request. For further information or to obtain additional copies please contact:

ATIP Coordinator's Office
Veterans Affairs Canada
PO Box 7700
Charlottetown, Prince Edward Island
C1A 8M9

Tel.: 902-368-0610
Fax: 902-566-7475